

# Therapeutic Censorship

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Freedom of speech is one of the most distinctly American political values. In many European democracies people take for granted that their freedom requires criminal sanctions against the expression of certain odious ideas, exemplified by the denial of the Holocaust. In the United States, that would be a clear violation of the First Amendment.

To be sure, there are limits to our freedom of expression, most famously the prohibition against speech or publication that creates “a clear and present danger such as Congress has a right to prevent.” Except for this criterion, plus the limits placed on the dissemination of “obscene or pornographic speech and publication” and commercial speech, the First Amendment seemingly carves out a large arena in which we may freely express and hear the human voice.

I say seemingly because we in the United States take for granted the government’s right, indeed its duty, to prohibit persons from expressing opinions deemed to be the products of “mental illness.” An American has the right to deny the Holocaust but not the right to deny his identity and declare he is Jesus. The person who does that is diagnosed as having schizophrenia, being “dangerous to himself and others,” and incarcerated in a “hospital.” This type of deprivation of liberty is not considered a violation of the First Amendment because psychiatric commitment is defined as a civil, not criminal, procedure, its ostensible purpose being therapy not punishment.

This is familiar territory. Much less familiar is an episode in which organized psychiatry was responsible for a different kind of limitation of free speech, one I call “therapeutic censorship.”

## The Titicut Follies

In the 1960s, documentary filmmaker Frederick Wiseman received permission to film for 29 days inside the Bridgewater State Hospital, a Massachusetts institution for the criminally insane. The movie he made there—his first documentary—was shown to great acclaim at the New York Film Festival in 1967. The Massachusetts attorney general proceeded to bar public screenings, and the state’s Supreme Court ruled that the movie constituted an invasion of the privacy of the Bridgewater guards and patients. The film was banned. Today *The Titicut Follies*, if remembered at all, is dismissed as presenting the kinds of inhumane psychiatric conditions that, thanks to drugs and deinstitutionalization, we have put behind us.

*The Titicut Follies* is and was intended to be an exposé, the cinematic equivalent of investigative journalism. The claim that it violated the privacy of the guards is as absurd as would be the claim that a newspaper story exposing the unsavory behavior of a politician is an invasion of his privacy.

In May 1987 *The Titicut Follies* was the subject of a forum at the University of Massachusetts. At the time, the reviewer for the *New York Times* reported: "It was a rare screening of the film that, under court guidelines, can be shown only to professionals in the legal, human services, mental health and related fields. . . . A documentary film . . . made 20 years ago and promptly banned, has proved that its power to provoke debate has not diminished. . . . [It] is the only American film ever censored for reasons other than obscenity or national security."

The title of the documentary comes from an annual variety show given by inmates and guards. After the 1987 showing, Wiseman said in an interview: "If the First Amendment of the Constitution protects anything, it's a journalist's right to report on conditions in a prison." Nevertheless, the U.S. Supreme Court has twice refused to hear Wiseman's appeal. According to the *Times*, "Blaire Perry, a lawyer for Mr. Wiseman who was on the panel, said, 'In 20 years, not one patient or his family has ever objected to the showing of the film.'"

Today, the "hospital" is in a modern building. "By all accounts," the *Times* reporter assured us, "the staff is better trained and there are more legal safeguards protecting the patients, many of whom have never been convicted of a crime. But the hospital is still surrounded by barbed wire, staffed by 220 prison guards. . . . There are 25 nurses and 49 psychiatrists, psychologists and social workers for 436 patients, according to Mary McGeown, a spokeswoman for the Corrections Department. Bridgewater is still overcrowded, understaffed and underfinanced."

What is the staff better trained for? No matter how many psychiatrists, psychologists, nurses, and social workers are in such a "hospital," they are all jailers.

On April 6, 1993 — 26 years after it was banned — *The Titicut Follies* was shown on the Public Broadcasting System and reviewed by film critic Walter Goodman in the *New York Times*:

Frederick Wiseman's remarkable first documentary, an unsparing visit to the Bridgewater State Hospital for the Criminally Insane, in Massachusetts, was banned... As in all his reports, Mr. Wiseman abjures narration. The pictures tell his stories, and he has never presented more powerful pictures. The 90-minute film opens and ends with a chorus line from what was evidently an annual show called "*The Titicut Follies*." You'll have to guess who among these costumed performers are inmates, who are guards... One man outtalks the doctors with a fervent yet coherent plea to be sent back to an ordinary prison... Many of the encounters have an unsettling ambiguity. A psychiatrist... questions an inmate about his sexual proclivities: "What are you interested in, big breasts or small breasts?" Is he working or just curious? The hardest scene to watch is of a forced feeding. The doctor smokes a cigarette as he inserts a long rubber tube into the patient's nostril and pours a liquid into a funnel; you want to call out to him to flick the lengthening ash onto the floor before it drops into the funnel.

## **Dehumanization of Mad Persons**

The *Titicut Follies*, unlike *One Flew Over the Cuckoo's Nest*, was a unique film. It depicted in gripping pictorial detail the psychiatric invalidation, persecution, and dehumanization of so-called mad persons at the hands of so-called mental health professionals. For that offense, the American psychiatric establishment, assisted by the American legal establishment, banned the showing of the film. This unique violation of the First Amendment has escaped both legal and psychiatric attention.

Today the Bridgewater State Hospital is a "health care facility" affiliated with the University of Massachusetts Medical School. In 2003 the National Commission on Correctional Health Care lauded it as its "Facility of the Year." A 2003 essay by Jaime Shimkus, publications editor of the organization, presents a brief history of the hospital, but does not mention *The Titicut Follies* or the conditions described in the film.

In the old days of insane asylums, the truth about psychiatry was apparent: the madhouse was a snake pit, and snake pits were limited to insane asylums. Today's snake pits—dispersed throughout society—are concealed by a façade of pseudomedical diagnoses, therapies, treatment-advocacy centers, alliances for the mentally ill, and the renaming of insane asylums as "health care facilities."

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